

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
ECF CASE**

SOKOL HOLDINGS, INC., BRIAN SAVAGE,
and THOMAS SINCLAIR,

Plaintiffs,

- against -

BMB MUNAI, INC., ALEXANDRE AGAIAN,
BAKHYTEBEK BAISEITOV, GEORGES
BENARROCH, BORIS CHERDABAYEV,
MIRGALI KUNAYEV, CREDIFINANCE
CAPITAL, INC., and CREDIFINANCE
SECURITIES, LTD.,

Defendants.

Case No. 05 CV 3749 (KMW) (DF)

**DEFENDANTS' MOTION IN LIMINE #9 TO PRECLUDE
THE USE OF TERMS
IMPUTING CRIMINAL CONDUCT**

Pursuant to FED. R. EVID. 403, Defendants submit this Motion in Limine #9 to Preclude the Use of Terms Imputing Criminal Conduct.

Throughout this litigation, Plaintiffs have characterized Defendants conduct using inflammatory terms such as “bribe” and “steal” that impute criminal conduct. These terms are unduly prejudicial and no ruling from the Court supports their application to the facts of this case or otherwise endorses their use. Further, the characterization of the facts to which Plaintiffs have applied these terms is irrelevant to the remaining claims in this case. Therefore, as set forth in the accompanying Memorandum of Law, Plaintiffs, their counsel, and their witnesses should be precluded at trial from using terms imputing criminal or immoral conduct to the Defendants.

Dated: August 3, 2010
Salt Lake City, Utah

**MANNING CURTIS BRADSHAW
& BEDNAR LLC**

/s/ Brent V. Manning

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **MOTION IN LIMINE #9 TO PRECLUDE THE USE OF TERMS IMPUTING CRIMINAL CONDUCT** to be served in the method indicated below to the below-named attorneys this 3rd day of August, 2010.

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